

SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM
(continued from August 26, 2002)

SUBJECT: Amendment to the Seminole County's Vision 2020 FLU Policy 1.7

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Matthew West **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date: 9/18/02 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. APPROVE the Ordinance amending Seminole County's County Vision 2020 FLU Policy 1.7 ; or
2. DENY the Ordinance amending Seminole County's County Vision 2020 FLU Policy 1.7; or
3. Continue the public hearing until a date certain.

County Wide

(Kathy Fall, Senior Planner)

PROPOSED TEXT AMENDMENT:

The applicant proposes the following language to amend the existing the Future Land Use Policy 1.7 Wekiva River Protection:

Notwithstanding any other provision of this Plan, middle schools and high schools shall not be permitted on property within the Wekiva River Protection Area outside of the East Lake Sylvan Transitional Area

BACKGROUND:

The Seminole County School Board is requesting to amend FLU Policy 1.7, Wekiva River Protection, which was amended on October 26, 1999 to address the location of Public Schools These amendments included a revision to FLU Policy 1.7 to prohibit public middle and high schools within the Wekiva River Protection Area.

The Seminole County School Board did not object to the 1999 amendment because it was not apparent that land owned by the Board would be affected. Recently, it was discovered that north 300 feet of the north portion of the School Board's property, approximately 8 acres adjacent to Heathrow, is included in the Wekiva River Protection Area. Furthermore,

Reviewed by:
Co Atty: <u>KFC</u>
DFS: _____
Other: _____
DCM: _____
CM: _____
File No.: _____

staff wishes to clarify that the said restriction should apply to public and private middle and high schools. Therefore staff recommends that "public" be struck from FLU Policy 1.7.

The text amendment as proposed by the Seminole County School Board is as follows:

Policy FLU 1.7

Current: Notwithstanding any other provision of this Plan, public middle schools and public high schools shall not be permitted on property within the Wekiva River Protection Area.

Proposed: Notwithstanding any other provision of this Plan, middle schools and high schools shall not be permitted on property within the Wekiva River Protection Area outside of the East Lake Sylvan Transitional Area.

The language, as proposed, would allow the placement of middle and high schools on land within the East Lake Sylvan Transitional Area. This proposed text amendment would lift restrictions on the northern portion of the School Board's property as it is located within the East Lake Sylvan Transitional Area.

Included in the agenda package is a letter from the Seminole County School Board which supports its reasons for the text amendment.

STAFF FINDINGS:

1. It was not the intention of staff to restrict the use of property owned by the Seminole County School Board, prior to October 26, 1999. It was intended to prevent additional properties within the Wekiva River Protection Area from being developed as middle or high schools; and
2. Elementary schools and middle schools are similar in respect to the type and the intensity of impacts to the surrounding areas. High schools, on the other hand have a much higher intensity and greater impacts to the surrounding area. This, in part, is due to the larger student body, the amount of traffic generated; and the greater demand for sports facilities and extracurricular activities; and, nighttime and weekend events. Therefore, staff proposes prohibiting high schools within the entire Wekiva River Protection Area. Middle schools function in a similar manner to elementary schools and, thus, shall be permitted only in the East Lake Sylvan Transitional Area;

STAFF RECOMMENDATION:

Staff recommends approval of the proposed ordinance to amend the Seminole County Vision 2020 FLU Policy 1.7 with the proposed language:

Policy FLU 1.7

Notwithstanding any other provision of this Plan, ~~public~~ middle schools and ~~public~~ high schools shall not be permitted on property within the Wekiva River Protection Area except that middle schools shall be permitted on property located within the East Lake Sylvan Transitional Area.



SEMINOLE COUNTY
PUBLIC SCHOOLS

PAUL J. HAGERTY, Ph.D.
Superintendent

Educational Support Center
400 E. Lake Mary Boulevard
Sanford, Florida 32773-7127

DIANNE L. KRAMER
Deputy Superintendent
320-0060

August 1, 2002

Mr. Don Fisher
Director of Planning
1101 East First Street
Sanford, Florida 32771

RECEIVED

AUG 05 2002

PLANNING AND DEVELOPMENT

RE: Comprehensive Plan Text Amendment

Dear Don:

As we have discussed previously, the School Board of Seminole County supports the following administrative text amendment to the Comprehensive Plan:

Policy FLU 1.7

Current: *Notwithstanding any other provision of this Plan, public middle schools and public high schools shall not be permitted on property within the Wekiva River Protection Area.*

Proposed: *Notwithstanding any other provision of this Plan, middle schools and high schools shall not be permitted on property within the Wekiva River Protection Area outside of the East Lake Sylvan Transitional Area.*

This change is warranted for the following reasons:

- If **public** middle and high schools are not permitted, then **private** and **parochial** middle and high schools should not be permitted either. There is little, if any, difference in the development impact.
- The referenced text was added in 1999, and at that time, both county staff and the school board understood that there were no identified middle or high school sites owned by the board within the Wekiva River Protection Area. It has been determined recently that a portion of property donated to the school board in 1988 as a middle school site lies within the East Lake Sylvan Transitional Area of the Wekiva River Protection Area.
- Throughout the Comprehensive Plan, there are strict development requirements and restrictions for only the Wekiva River Protection Area **outside of the East Lake Sylvan Transitional Area**. The proposed change is more consistent with the other provisions of the Comprehensive Plan.

It is my understanding that this text amendment will be presented to the LPA on September 4, 2002, and to the Board of County Commissioners on September 24, and December 10, 2002.

Thank you for your assistance.

Sincerely,

Dianne L. Kramer
Deputy Superintendent/Operations